

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

WAYNE T. SMITH, :
Petitioner, :
: CIVIL ACTION
v. :
: NO. 20-3191
MARK CAPOZZA, et al., :
Respondents. :
:

ORDER

BERLE M. SCHILLER, J.

AND NOW, this 14th day of May, 2021, upon consideration of Petitioner's Petition for a Writ of Habeas Corpus (Doc. No. 1), the Response thereto (Doc. No. 12), Petitioner's Reply (Doc. No. 15), the Report and Recommendation of United States Magistrate Judge Marilyn Heffley (Doc. No. 17), and the Objections thereto (Doc. No. 19), it is ORDERED that:

1. The Report and Recommendation is **APPROVED** and **ADOPTED**;
2. The Petition for a Writ of Habeas Corpus is **DENIED** and **DISMISSED WITH PREJUDICE**;
3. There is no probable cause to issue a certificate of appealability; and
4. The Clerk of Court shall mark this case **CLOSED**.

BY THE COURT:



BERLE M. SCHILLER, J.